

MINUTES OF THE FOWLER CITY PLANNING COMMISSION MEETING
June 6, 2019

Chair Mellon called the meeting to order at 6:30 p.m. Roll call was taken.

Commissioners Present: Mellon, Mejia, Mukai, Fernandez, Kandarian

Commissioners Absent:

City Staff Present: City Manager Davis, City Attorney Cross, Planning Consultants Marple, Fire Chief Lopez, Police Chief Alcaraz, Planning Secretary Zavala

APPROVAL OF MINUTES FOR April 4, 2019:

Commissioner Mukai made a motion to approve the minutes for April 4, 2019, seconded by Commissioner Kandarian. Motion carried by unanimous voice vote.

AGENDA ITEM NO. 5

Public hearing to consider Zoning Text Amendment No. 19-01 (Electric Guard Dog, LLC.) proposing to amend Title 9, Chapter 5, Article 21, Section 9 of the Fowler Municipal Code to allow electrified fencing in all zones except residential. Includes a proposed finding of exemption from the California Environmental Quality Act (CEQA Guidelines Section 15061(b)(3)).

Ms. Marple Presented a brief summary of the proposal. Electric Guard Dog proposed to Amend Title 9, Chapter 5, Article 21, Section 9 of the Fowler Zoning Ordinance. Currently the ordinance has prohibited barbwire, electrical fencing, or razor wire in conjunction with any wall, hedge, fence, or by itself is prohibited in residential zones, unless required by Police agency, State agency, or regulating agency thereof. The only definition in the ordinance was provided by the Food and Agricultural Code Sec 17151 which is fencing for farm animals. Civil Code, in 2016, Section 835 set requirements for electrical fencing for duration, impulse rates, and the use of electrified fencing only be in commercial and industrial property, not in residential zones. Signage is also required at intervals not exceeding 30 feet, the height of the fencing not exceed 10 feet in height and must be behind an existing fence that is at least 6 feet in height. Electric Guard Dog LLC submitted in April of 2019, for a Zoning Text Amendment to allow Electrified Security Fencing in all nonresidential zones by a conditional use permit. Electric Guard Dog would like for all Electrified Fencing to be subject to the Civil Code regulations, be approved by OSHA, and not to have the fence working during business hours. Emergency access will be given to police and fire through a Knox Box which has to get approved by the Fire Department.

Commission had some concerns for the separation between fences, the height, and requirements that are set in place.

Fire Chief Lopez spoke not in favor of the electric fence. He sees it as unfit for the City of Fowler, and if allowed, the fence will have a negative outlook on Fowler.

Police Chief Alcaraz spoke not in favor of the electric fence. He did not see the need for it, nor did he think it was good for the atmosphere of the City of Fowler.

Public Presentation

Public presentation opened at 6:57 PM.

Mr. Kaneko spoke on behalf of Electric Guard Dog. He explained the need for electric fencing, the process of the fence when it senses a breach in the line. He spoke about the esthetics of the fencing that Electric Guard Dog provides. He explained that a Knox Box needs to be approved by fire department before being approved. He also spoke about the need for electric fencing to prevent crimes from happening.

Mr. Higgins spoke on behalf of Pape, which is the business that wishes to have an electric fence. He spoke about the benefits that the fence has given the other Pape businesses. He also spoke about the unreported crimes due to being self-insured. He expressed the need for the electrical fence for Pape Business.

Public presentation closed at 7:33 PM.

Commissioner Mukai made a motion to Consider Adoption of Resolution No. 643 recommending that the City Council adopt Zoning Text Amendment No. 19-01, allowing barbwire and razor wire in M1 and M2 districts and RCO with staff approval and only in Commercial Zones excluding form based code area with a CUP. Electrified Security Fencing will only be allowed in all non-residential zones excluding the Form Base Code Area with a CUP. Motion seconded by Commissioner Fernandez. Resolution No. 643 approved by a 3-2 vote. Ayes: Mellon, Fernandez, Mukai. Noes: Mejia, Kandarian.

AGENDA ITEM NO. 6

COMMUNICATIONS:

City Manager Notified Commission of the Employee Appreciation Dinner on May 3, 2019, at Cattlemen's Restaurant. She also notified the commission of a part time employee brought in for Code Enforcement.

Chair Mellon made a motion to adjourn, seconded by Commissioner Fernandez. The motion carried and meeting was adjourned at 8:21 pm.